

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 543 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA
and
Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

MALABHAI PUNJABHAI PARMAR

Versus

STATE OF GUJARAT

Appearance:

MR KR JANI for Petitioner
Ms.Harsha Devani, learned A.G.P. for respondents
Nos.1 and 2

CORAM : MR.JUSTICE M.R.CALLA
and
MR.JUSTICE R.R.TRIPATHI

Date of decision: 27/09/2000

ORAL JUDGEMENT(Per: M.R.Calla, J)

Rule. Learned A.G.P. Ms. Harsha Devani waives

service of rule on behalf of respondents Nos.1 and 2.

The police has produced the concerned girl, namely, Vilas, aged short of 15 years (date of birth being 16.11.85) and it has been given out that respondent No.3 Ishwarbhai Ramanbhai Parmar, who had taken away this girl on 27.5.2000 to Baroda and then to Pavagadh, has already been arrested by Police and he is in police custody since 22.9.2000. The girl named Vilas has stated before us that she was forcibly taken away and put under wrongful confinement and was also subjected to cruelty during the period between 27.5.2000 to 22.9.2000 and she has been discharged from the Civil Hospital only yesterday and the report is yet awaited.

Vilas is a minor girl and now that she has been produced before the Court in this petition filed by her father, the Police is directed to hand over the custody of this girl to her father. She is also willing to go with her father. She is, therefore, now set free to her liberty to go with her father as she is minor. With regard to the criminal case, the police may proceed in accordance with law. This Special Criminal Application is hereby allowed. Rule is made absolute.

(M.R.Callan,J)

(R.R.Tripathi,J)